

**The Department of Community Planning & Development**  
City Hall, Lynchburg, VA 24504 434-455-3900

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**To:** Planning Commission

**From:** Planning Division

**Date:** October 13, 2004

**Re:** **REZONING: R-1, Low Density Single Family Residential District to R-3C, Medium Density Two-Family Residential District (Conditional), 716 Leesville Road. CONDITIONAL USE PERMIT (CUP): Wyndsor Place Townhomes, 716 Leesville Road.**

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**I. PETITIONER**

Bruce E. & Carole T. Gallier, P.O. Box 11181, Lynchburg, VA 24506

**Representative:** Joe Gantt, Gant Properties, Inc., P.O. Box 622, Forest, VA 24551

**II. LOCATION**

The subject property is a tract of about 6.18 acres located at 716 Leesville Road, Lynchburg, VA 24502.

**Property Owners:** Bruce E. & Carole T. Gallier, P.O. Box 11181, Lynchburg, VA 24506

**III. PURPOSE**

The purpose of this petition is to allow construction of 59 townhomes (for sale).

**IV. SUMMARY**

- Petition agrees with the *Comprehensive Plan*, which recommends Medium Density Residential land uses in this area.
- Petition agrees with the Zoning Ordinance in that townhomes are allowed in an R-3, Medium Density Two-Family Residential District with approval of a conditional use permit (CUP) from the City Council.
- Petition(s) proposes the rezoning of the subject property and subsequent construction of a 59-unit townhome complex, including associated parking and recreational areas.

**The Planning Division recommends approval of the rezoning and conditional use permit petitions.**

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**V. FINDINGS OF FACT**

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends Medium Density Residential development in this area. Medium Density Residential includes small-lot single-family detached housing, duplexes, and townhomes at densities of up to 12 units per acre.
2. **Zoning.** The subject property was annexed into the City in 1976. The existing R-1, Low Density Single Family Residential zoning was established in 1978 with the adoption of the current *Zoning Ordinance*.
3. **Proffers.** The petitioner voluntarily submitted the following proffer(s) with the rezoning application:
  - 1) The property will be developed as multi-family residential townhomes with a maximum of 60 units in substantial compliance with the Preliminary Site Plan for Rezoning and

CUP of Wyndors Place prepared for Bruce and Carole Gallier by Berkley-Howell & Associates, P.C. and dated September 27, 2004.

- 2) Common recreational areas will be developed throughout the site as shown:  
Recreational Facilities will include:
  - Picnic Tables
  - Spring Type Animals (for small children)
  - A Miracle Whirl (for small children)
  - Swings and Slides

The location of recreational amenities will be shown on the final site plan.
- 3) The existing mature hardwoods will be preserved as much as possible in the perimeter buffer area. Evergreens (such as Leyland Cypress) will be planted to provide additional screening if needed.
4. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed rezoning.
5. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
  - 5/14/1985: City Council approved Virginia Baptist Hospital's CUP petition for the construction of a residential care center at Leesville Road and Del Ray Circle.
  - 8/13/1991: City Council approved Tree of Life Pentecostal Holiness Church's CUP petition for the construction of a sanctuary and parking lot at 742 Leesville Road.
  - 6/13/1995: City Council approved Virginia Baptist Hospital's CUP petition for the construction of a dining facility and building additions for Bridges Treatment Center at 693 Leesville Road.
  - 4/19/1996: City Council approved Virginia Baptist Hospital's CUP petition for cottages and parking areas for Bridges Treatment Center at 693 Leesville Road.
  - 8/13/1996: City Council approved Tree of Life Ministry's CUP petition for the expansion of existing church facilities at 742 Leesville Road.
  - 8/14/2001: City Council approved Centra Health's CUP petition for the construction of modular classrooms, additional classrooms, residential cottages and parking for Bridges Treatment Center at 693 Leesville Road.
  - 12/11/2001: City Council approved Tree of Life Ministry's CUP petition for Master Plan Development of a sanctuary, multi-purpose building, parking and athletic fields.
  - 12/10/2002: City Council approved Centra Health's CUP petition to retain modular classrooms and construct additional classrooms/residential cottages and a nature walk for Bridges Treatment Center at 693 Leesville Road.
6. **Site Description.** The subject property is bounded to the east and west by residential uses and to the north and south by a combination of residential, commercial and institutional uses.
7. **Proposed Use of Property.** The purpose of the rezoning is to allow construction of a 59-unit townhome complex.
8. **Traffic and Parking.** The City's Traffic Engineer had no comments of concern regarding traffic from the proposed development. Traffic from the site will outlet onto Leesville Road,

which is a four-lane arterial street with a traffic volume of about 11,000 vehicles per day. Since this volume is well below the rated capacity of the roadway, traffic impacts are expected to be minimal from the proposed townhomes.

Parking requirements for the proposed development are set at 2.5 spaces per unit by the City's Zoning Ordinance. The site plan indicates that 148 parking spaces will be provided for the townhomes, thus meeting the requirement of City Code.

9. **Storm Water Management.** New impervious areas will exceed 1,000 square feet; as such, a stormwater management plan will be required for the construction. The increase in post-development runoff conditions due to the new impervious area will be managed through the use of an above-ground stormwater detention facility. A preliminary drainage review indicates that the receiving channel is adequate for the site's stormwater. Stormwater quality will be addressed through a combination of Best Management Practices and Low Impact Development standards.
10. **Impact.** The development of the 59-unit townhome complex, including the associated parking and recreational areas, will have limited impacts on the surrounding neighborhoods. The design and layout of the buildings are acceptable.

Preservation of the existing large deciduous trees located at the rear and left of the property (adjacent to Beulah Baptist Cemetery) are of particular concern to the Planning Division. The petitioner has proffered to leave as many of the existing trees as possible and supplement the vegetative buffer with evergreens as needed to provide screening from adjacent properties.

11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on August 31, 2004. Comments related to the proposed use were minor in nature and have or will be addressed by the developer prior to final site plan approval.

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## VI. PLANNING DIVISION RECOMMENDATION

**Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of Bruce E. and Carole T. Gallier's petition for a rezoning of R-1, Low Density Single Family Residential District to R-3C, Medium Density Two-Family Residential District (Conditional), at 716 Leesville Road for use as townhome lots.**

**Based on the preceding Findings of Fact, the Planning commission also recommends to City Council approval of Bruce E. and Carole T. Gallier's petition for a Conditional Use Permit (CUP) at 716 Leesville Road to allow for the construction of a 59-unit townhome complex, subject to the following conditions:**

1. **Property will be developed in substantial compliance with the Preliminary Site Plan for Rezoning and CUP of WyndSOR Place prepared for Bruce and Carole Gallier by Berkley-Howell & Associates, P.C. and dated September 27, 2004.**
2. **A subdivision plat will be submitted and approved vacating all interior lot lines and creating new lots.**

3. **All exterior lighting will be non-directional and glare-shielded to prevent illumination across the property line onto adjacent properties.**
4. **A vegetative buffer will be provided along the perimeter of the site, subject to the review of the City Planner and Urban Forester. If existing vegetation does not provide adequate screening, the buffer will be supplemented with 4' evergreen trees. If the "infill planting" requires that more than 25 evergreen trees be used to supplement, then two different species are required. If the buffer requires more than 50 evergreen trees be used to supplement, then three species are required.**
5. **Stormwater impacts will be mitigated using a combination of Best Management Practices and Low Impact Development Standards to address both quantity and quality of runoff. Practices are subject to the approval of the City's Environmental Planner.**

This matter is respectfully offered for your consideration.

William T. Martin, AICP  
City Planner

pc: Mr. L. Kimball Payne, III, City Manager  
Mr. Walter C. Erwin, City Attorney  
Ms. Rachel O. Flynn, Director of Community Planning & Development  
Mr. Bruce A. McNabb, Director of Public Works  
Mr. R. Douglas Dejarnette, Fire Marshal  
Mr. J. Lee Newland, Director of Engineering  
Mr. Gerry L. Harter, Traffic Engineer  
Mr. Robert Drane, Building Commissioner  
Ms. Judith C. Wiegand, Senior Planner  
Mr. Arthur L. Tolley, Zoning Official  
Mr. Robert S. Fowler, Zoning Official  
Mr. Kent White, Environmental Planner  
Mr. Joe Gantt, Representative

## **VII. ATTACHMENTS**

1. **Vicinity Zoning Pattern**  
(see attached map)
2. **Vicinity Proposed Land Use**  
(see attached map)
3. **Site Plan**  
(see attached site plans)